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ACKNOWLEDGEMENTS

INTRODUCTION

The Planning (Listed Buildings and Conservation Areas) Act 1990 section 69 requires local planning authorities to designate conservation areas. The definition of a conservation area is “ an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance”. It is the overall quality and interest of an area as much as the number or quality of its listed buildings that should justify designation of a conservation area.

Once designated, additional controls particularly on demolition, new development and protection of trees will apply to properties covered by the designation.

This document sets out an assessment of the historic and architectural interest of the small settlement of Upton Hellions. Designation of the area marked on Plan 1 as a Conservation Area was approved by the Community Services Committee on 18 March 2004.

The main implications of inclusion within a conservation area are set out in Appendix 1.

LOCATION OF THE CONSERVATION AREA AT UPTON HELLIONS

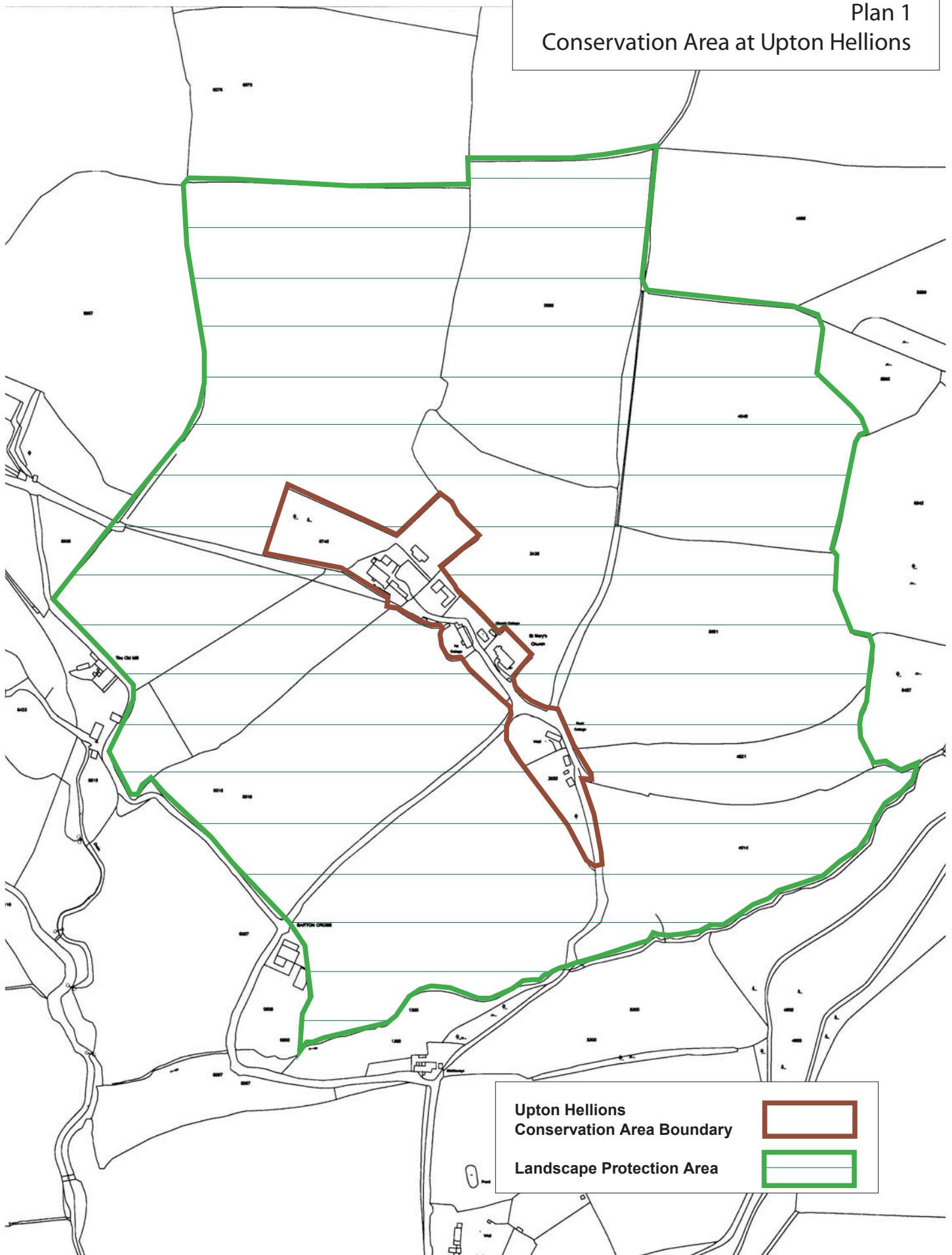
Upton Hellions is a small linear settlement lying 2.5 miles north east of Crediton. The settlement is located on the upper north eastern slope of the Creedy Valley. The surrounding landscape is of high visual quality, as recognised in the landscape protection area designation in the adopted Local Plan.

Access is along a narrow unclassified road, running north from Creedy Bridge on the A3072. The road terminates in the village.

The conservation area runs from Rock Cottage to the south east, through to Buckstone on the north west.

The conservation area is shown on Plan 1.

Plan 1 Conservation Area at Upton Hellions



ARCHITECTURAL INTEREST

The conservation area contains six listed buildings. These are Church Cottage, Box Tree Cottage and Buckstone Cottage, the Church of St Mary and within the churchyard, two chest tombs.

The small parish church is a Grade I listed building (Photo 1). It has a late 12th century nave and chancel, a late 14th-early 15th century porch, a late 15th century tower and a 16th century south aisle. It is constructed of the distinctive local red volcanic stone with Beer stone dressings. Elements of the Norman architecture can be identified, particularly the round headed openings.

The Grade II listed chest tombs both date from the 1820s and are made of Portland stone set on granite bases. Both lie on the south side of the church (Photo 2).

Church Cottage lies to the north west of the church. This cob and thatch building is 17th century in origin and although much modernised is an important element of the setting of the church (Photo 3).

Box Tree Cottage is Grade II and was originally constructed as two cottages. The original cottage now forming the south east end of Box Tree Cottage, is mid 19th century whilst the second cottage was built in the late 19th century.

Buckstone, also Grade II, is the most architecturally formal and sophisticated house in the settlement. It has 18th century origins, with this older part of the house incorporated into the rear section. However Buckstone was remodelled in about 1820 and it is this Georgian period that dominates the architectural style of the house. It has a symmetrical frontage with tall sash windows and a central porch with columns (Photo 4).

The listed buildings are shown on Plan 2.

Special Architectural Interest



1. Church of St Mary



2. Listed Chest Tombs

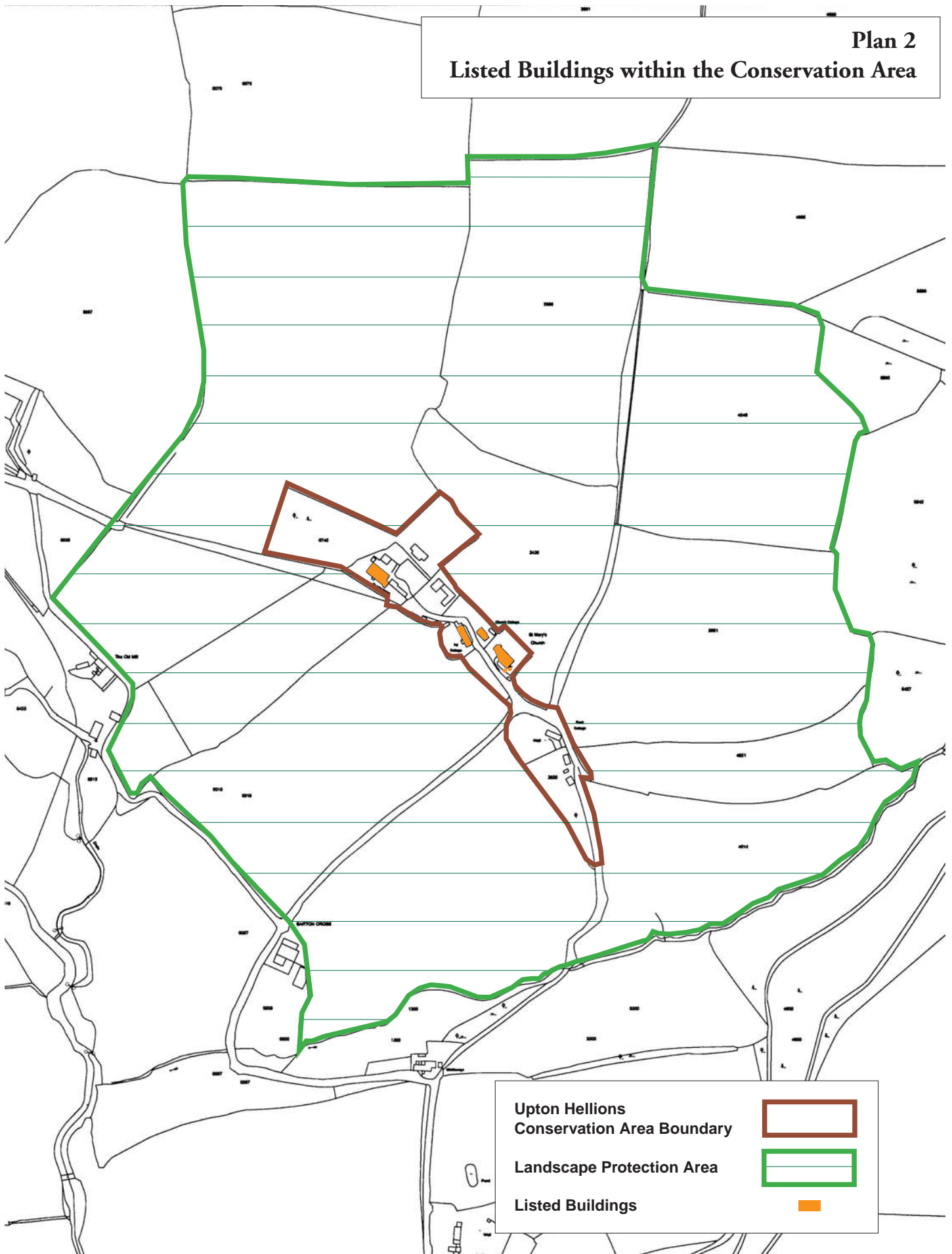


3. Church Cottage

4. Buckstone and West End



Plan 2 Listed Buildings within the Conservation Area



HISTORIC INTEREST

Upton Hellions is a settlement with Norman origins. The Domesday survey of 1087 mentions the lands of Creedy (Cridie) manor. By the 12th century the church was built and several Norman features from this original building are woven into the fabric of the existing church.

The first documentary reference to the settlement appears to be in the Episcopal registers of the Diocese of Exeter dated 1270 when the name Uppetone Hyliun is mentioned. The name indicates that this was the high or Upper Town where the Hyliun family established themselves.

Apart from records of additions or repairs to the church, there is little in the way of historical records relating to the core settlement of Upton Hellions. It is closely linked with both Hellions Barton and Hellions Mill both outside the proposed conservation area. Hellions Barton dates back to 1566 and the owner would have provided monies towards work on the church. The Barton is recorded on the Sites and Monuments Record to have an underground passage to the church (rediscovered in 1800). Hellions Mill was based on water power of the River Creedy. There has been a mill in the vicinity since at least the 14th century. At various times it was used for corn grinding and also as a fulling mill. Other history is difficult to unravel from the wider history of the parish and from the long standing links with both the adjoining parish of Sandford and the Creedy Park estate.

Daphne Munday in her "Parish Patchwork" notes that whilst there has apparently never been an inn at Upton Hellions, Ivy Cottage (now called Box Tree Cottage) (photo 5) standing opposite the church, could have been an "ale house". The inclusion of Ivy in the name of a property often indicated where ale was available at festival times, since the custom was to hang garlands of ivy outside and ivy was associated with Bacchus the god of wine.

The Tithe Map of 1840 shows most of the buildings that make up the current settlement, including the unlisted Rock Cottage just south of the road junction. It was described as house and offices and was adjoined by an orchard. Opposite the church was Ivy Cottage, now part of Box Tree Cottage

The Tithe Map also shows an unoccupied cottage on the southern boundary of the churchyard. Given to the vicar by Sir John Ferguson Davie, this was the poor house. It was demolished in the late 19th century.

The OS 6 inch maps of 1890 & 1891 (Plan 3) shows Rock Cottage still adjoined by orchards. It also shows the distinctive treed enclosure to the rear of Buckstone Cottage, which remains as clearly defined today.

The poor house still stood on the edge of the churchyard. However in 1890 it was proposed to remove the cottage to enable the enclosure of the churchyard and the widening of the road so that vehicles could turn around in front of the church. Demolition was carried out and by 1894 the churchyard had a lych gate (photo 6) on the site of the old poor house. The lych gate was dedicated to the memory of the rector's sister and neice.

The 1905 1:2500 OS map is reproduced as Plan 4 and shows the new churchyard boundary wall and entrance.

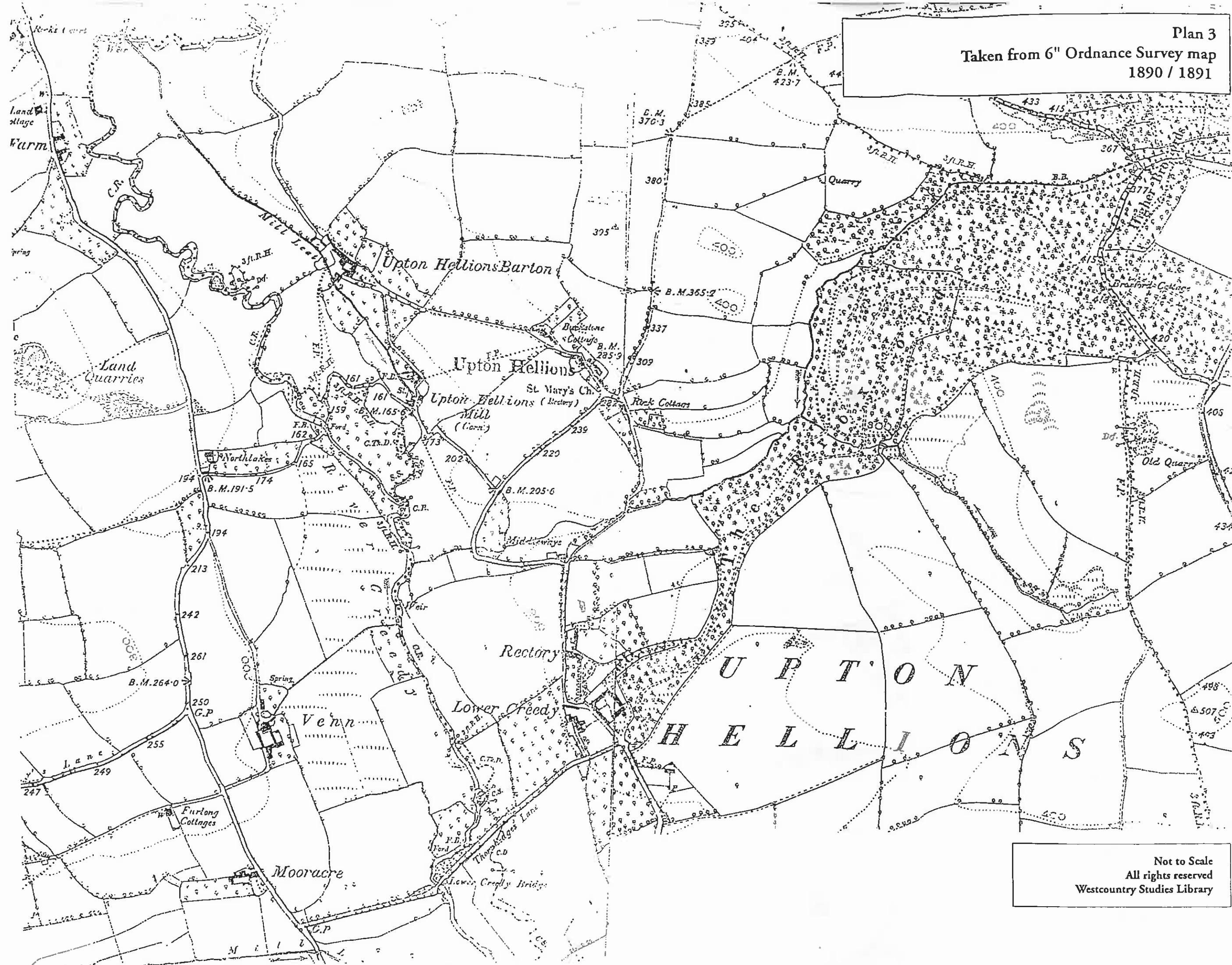
Special Architectural Interest

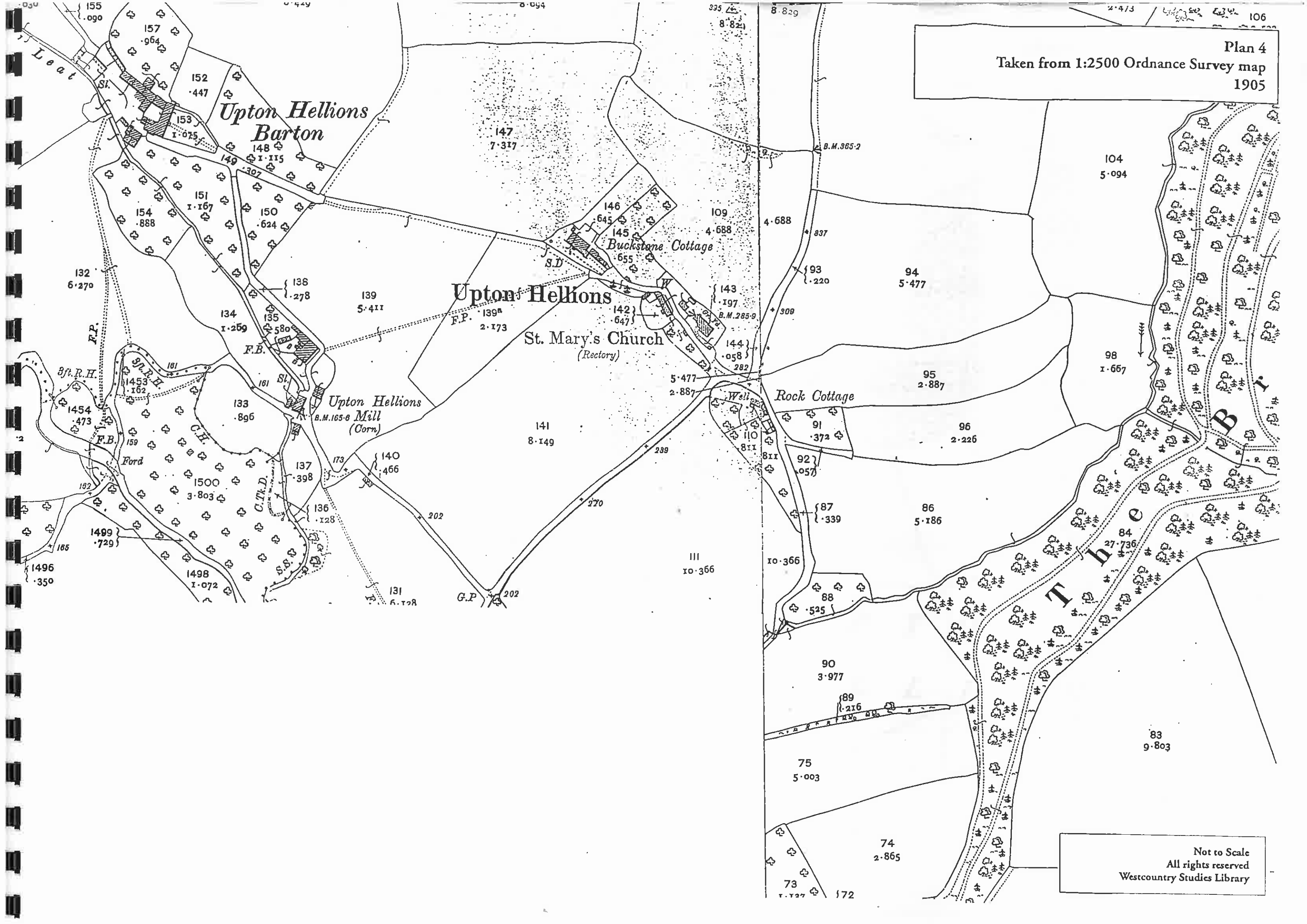


5. Boxtree Cottage
incorporating Ivy Cottage

6. The lychgate on the site of
the Old Poor House







Plan 4

Taken from 1:2500 Ordnance Survey map
1905

Upton Hellions
St. Mary's Church
(Rectory)

Buckstone Cottage

Rock Cottage

Upton Hellions
Mill
(Corn)

Not to Scale
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Westcountry Studies Library

CHARACTER

This tiny settlement is a quiet rural backwater. With only a few houses, a church and no commercial premises, noise and activity is minimal. There are just sometimes the background sounds of farm machinery or animals, but little else disturbs the quiet atmosphere.

Because most of the buildings are listed and there has been little in the way of new building, the historic character is unspoilt.

The road up to and into Upton Hellions is for the most part narrow and has no footway. The irregular grassy verges bordering the roadway give a quintessentially rural informality (photo 7).

Upton Hellions is a very private place. Whilst there are glimpses of the settlement from the south, once in the village only the church and Church Cottage set above the road on its north side, feel open to public view. Rock Cottage (photo 7) and Box Tree Cottage (photo 5) have blank elevations to the roadside, whilst Buckstone is set apart with access along a private driveway with a high boundary wall and a gated entrance (photo 9).

Landscape, open space and trees

The landscape setting is an elevated and undulating spur formed by the River Creedy and one of its tributaries. The setting, with its backdrop of rising land, is an integral part of the character of the settlement (photo 10). Upton Hellions lies within a fold in the landscape gently following the undulations of the land. To the north and west are hedge-enclosed fields, whilst the south eastern end of the proposed area is read against a backdrop of a woodland plantation.

There are a few semi-mature and small ornamental trees within the proposed conservation area, which contribute to the character of the road frontage.

The most significant trees occupy and enclose the area to the north east of Buckstone. This wooded area is a distinctive feature in the landscape, particularly when viewed from the churchyard.

Important trees are shown on Plan 5.

Character

7. Road and verges



8. Rock Cottage



10. The landscape setting

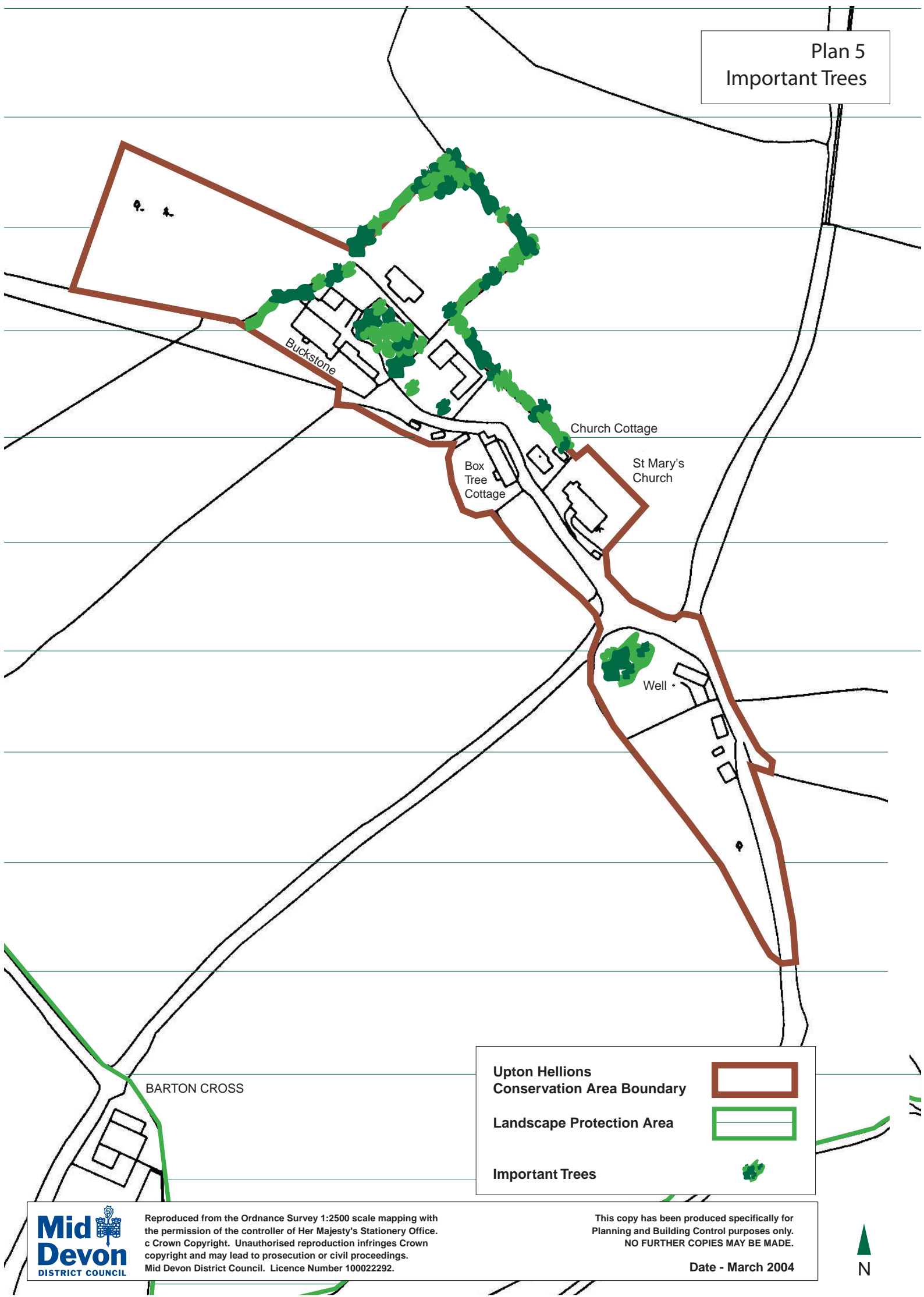


9. Access to Buckstone

11. Wooded enclosure to rear of Buckstone



Plan 5 Important Trees



**Upton Hellions
Conservation Area Boundary**



Landscape Protection Area



Important Trees



5

APPEARANCE

The residential buildings of Upton Hellions are set within enclosed green spaces, usually a garden including orchard and ornamental trees. Most are bounded by stone or cob walls running alongside the roadway. Similarly the church is set within the elevated open space of the churchyard with its stone retaining walls to the front.

Within the settlement whitewashed buildings with their dark thatched or slated roofs and tall brick chimneys predominate. However viewing Upton Hellions from the south the appearance is more mixed with the warm earth colours of the brick and rubblestone rear elevation of Box Tree Cottage and the red volcanic stone of the church, contrasting with the white walls of Buckstone, Church Cottage and Rock Cottage.

Features of special importance

The conservation area has several attractive boundary walls, particularly those tall slate topped stone and rendered walls forming the south boundary to Buckstone (photo 12) and the stone walls fronting Church Cottage and the Church (photo 13).

The lych gate (photo 13) with its pebbled path (photo 14) into the churchyard is an attractive and prominent feature. Close inspection reveals a commemoration inscribed in the wood.

These features are shown on Plan 6.

Appearance



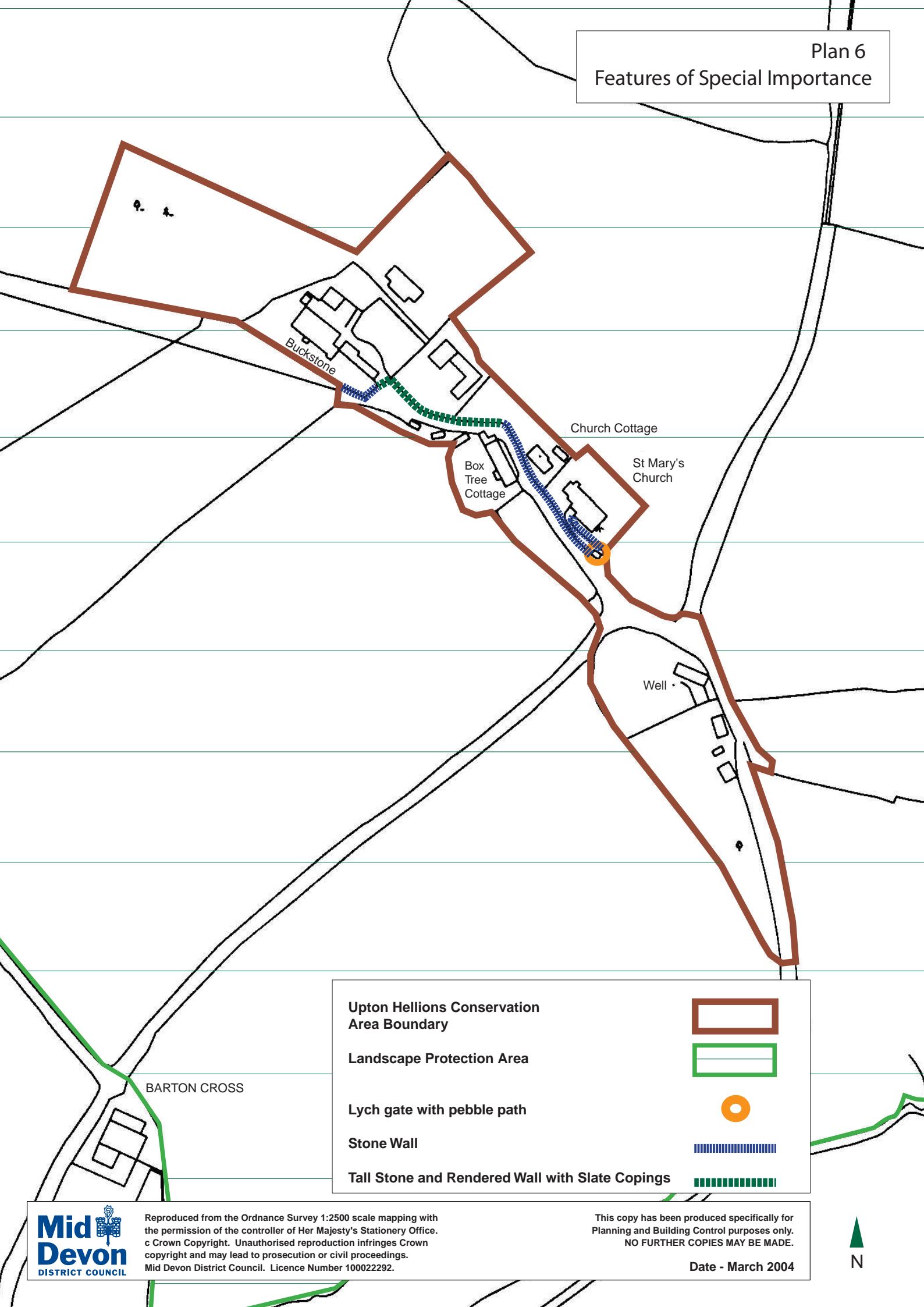
12. High stone and render slate capped wall at Buckstone



13. Stone walls of churchyard and The Lych Gate



14. Pebble path through The Lych Gate



Upton Hellions Conservation
Area Boundary

Landscape Protection Area

Lych gate with pebble path

Stone Wall

Tall Stone and Rendered Wall with Slate Copings



PLANNING CONTROLS IN CONSERVATION AREAS**1. Extensions to Dwellings**

The size of extension that may be constructed without the need for planning permission (permitted development) is reduced to 10% or 50 cubic metres (whichever is the greater) compared with the usual 15% or 70 cubic metres. Any outbuildings over 10 cubic metres, built, altered or improved is likely to count against the permitted development allowance.

2. Cladding of dwelling house exterior

No part of the exterior of a dwelling house can be clad in stone, artificial stone, timber, plastic or tiles without planning permission from the Local Planning Authority.

3. Alterations to the roof of a dwelling house.

Planning permission must be obtained for any material alterations to the shape of a roof e.g. construction of a dormer.

4. Satellite Dishes

Subject to certain limitations the installation of one satellite dish is permitted development on any building in a Conservation Area. Its size must not be over 90cm; it must not be on either a wall or roof slope fronting a highway (including any footpath). No part must project above the highest part of the roof, nor must it be attached to a chimney, nor to a building over 15 metres high. In all cases it must be sited to minimise its visual impact and must be removed when no longer required. If any of the criteria are not met then planning permission is required.

5. Extensions to Industrial & Warehouse Buildings

The permitted development allowance for extensions to this type of building in a Conservation Area is limited to 10% or 500 square metres.

6. Display

Advertisements are subject to separate control that defines which adverts have deemed consent and therefore do not require Advertisement Consent. The display of advertisements in Conservation Areas are subject to additional restrictions on tethered balloons, illuminated signs in retail parks and business premises, flags displayed by housebuilders and advert hoardings around building sites.

7. Demolition

Listed buildings both inside and outside Conservation Areas require Listed Buildings Consent for any works of demolition. Unlisted buildings or structures inside Conservation Areas have some restrictions on demolition, e.g. total or substantial demolition of any building over 115 cubic metres requires Conservation Area Consent as does demolition of any wall over 1 metre high facing a highway, waterway or open space or any wall over 2 metres high elsewhere. Any pre 1914 agricultural building in a Conservation Area is protected against demolition.

8. Trees

Six weeks notice of intention is required for any cutting down, topping, lopping or uprooting of most trees in a Conservation Area. There are some exceptions for example, where it is a tree covered by a Tree Preservation Order and consent for the work has been given by the Planning Authority, where work is carried out by statutory undertakers or where the works have been effectively approved by planning permission to carry out development.

MID DEVON LOCAL PLAN 1998 POLICIES APPLICABLE WITHIN CONSERVATION AREAS**ENV9**

Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development, there will be a presumption in favour of their physical preservation in situ.

Where other archaeological remains and their settings may be affected, proposals will only be permitted where the need for the development outweighs the damage to the archaeological importance of the site.

Conditions or agreements may prohibit development proceeding, where remains are of sufficient importance, until a programme of archaeological work has been implemented in accordance with an approved scheme of investigation.

ENV12

The change of use, alteration or extension of listed buildings will only be permitted if:

- i) it ensures that the buildings are properly maintained;
- ii) it preserves the special interest of the building and its features of architectural or historic interest;
- iii) the proposed use does not discourage the restoration of historic buildings or the area generally; and
- iv) any alteration or extension does not dominate or adversely affect the building by form, height or materials.

ENV15

New buildings will not be permitted if their design, height or mass conflicts with the distinctive historic or architectural character of the settlement, specifically development should not adversely affect:

- i) the skyline;
- ii) views of important feature or historic landmarks;
- iii) the topography of the area;
- iv) entrances to a settlement.

ENV16

Buildings will be restricted to a height which fits in with the surrounding street scene. This does not preclude the possibility of making a new landmark if it is considered that this would enhance and improve the settlement's townscape.

ENV18

Proposals affecting a conservation area will only be permitted where their design and use preserve or enhance its townscape and/or the distinctive character of the area. Its townscape formed by:

- i) buildings in relation to their materials, form, scale, massing and land form;
- ii) groups of buildings and their related spaces; and
- iii) significant landscape features.
- iv) significant views both into and out of the area.
- v) landscape setting;
- vi) significant skylines, panorama, vista, qualities of a sequence of open spaces, historic street pattern; and
- vii) key buildings or groups, areas of historic buildings and landmarks.

In the case of permissions with matters reserved for future submission, where it is necessary to ensure proposals make a positive contribution to the character or appearance of a conservation area or leave it unharmed, conditions may be attached regarding the siting, bulk and materials of buildings and may set out measures to protect or add to the existing landscaping.

ENV21

Proposals that involve the demolition of all or a substantial part of un-listed buildings which make a positive contribution to the character or appearance of a conservation area, will not be permitted unless it is judged those buildings cannot be preserved; addressing the condition of the buildings; the adequacy of efforts to retain the building in use and the full range of advice contained in PPG15 : “Planning and the Historic Environment”.

Conditions or agreements attached to planning permission may require the submission of detailed plans and/or a contract let to carry out the development on site before demolition takes place where it is necessary to ensure proposals make a positive contribution to the character or appearance of a conservation area or leave it unharmed.

ENV24

Within conservation areas and on listed buildings proposals for new or altered shop fascias and new commercial signs will be permitted subject to policies ENV12, ENV13 and ENV18.

They should:

- i) be of a design, including the use of illumination, which does not detract from the character and appearance of the building or area.
- ii) state the nature of the business alone and avoid advertising a range of products with brand names;
- iii) avoid obscuring architectural details on buildings or features of the conservation area or listed building; and
- iv) poster hoarding or panels, within town centres, should be of a size and presentation compatible with the architectural or historic features of the area or building.

ENV33

Proposals that involve the demolition of all or a substantial part of Listed Buildings will not be permitted unless the local planning authority has granted listed building consent that those buildings cannot be preserved; addressing the condition of the building; the adequacy of efforts made to retain the building in use and the full range of advice contained in PPG15: “Planning and the Historic Environment”.

ACKNOWLEDGEMENTS

- 1. Westcountry Studies Library for historical OS Maps**
- 2. Daphne Munday's "A Parish Patchwork"**
- 3. Devon Record Office**